

SENATE BILL 126

By Green

AN ACT to amend Tennessee Code Annotated, Title 4;
Title 6; Title 7; Title 10; Title 65 and Title 67,
relative to the Tennessee rural broadband
expansion grant program.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 65, Chapter 36, is amended by adding
the following new part:

(a) This section shall be known and may be cited as the "Tennessee Rural
Broadband Grant Expansion Program."

(b) As used in this section:

(1) "Eligible applicant" means:

(A) Any entity operating for profit or any telephone cooperative; or

(B) A city, town, or county that submits an application in
partnership with any other entity operating for profit or a telephone
cooperative; and

(2) "Unserved area" means a census block area designated by the
Tennessee regulatory authority (TRA) that does not have an existing provider of
broadband Internet access communications service to end users with speeds of
at least ten megabits per second (10 Mbps) for download transmission and one
megabit per second (1 Mbps) for upload transmission (10/1). An unserved area
may not include census blocks where another provider has been authorized to
receive funding to expand broadband access in this state.

(c) The TRA shall administer the Tennessee Rural Broadband Grant Expansion
Program and shall:

(1) Hold a workshop, create a program, and make broadband expansion grants to eligible applicants for the purpose of funding the construction, expansion, or operation of broadband infrastructure in underserved areas; and

(2) Establish criteria for evaluating applications and issuing orders awarding grants under this section.

(d) The TRA shall prescribe the form, nature, and extent of information contained in an application for a grant under this section, including but not limited to, the identity of the area by census block of the state that will be affected by the proposed project and an explanation of how the proposed broadband expansion will increase broadband access.

(e) The TRA shall:

(1) Give priority to:

(A) Expansion projects that reach the greatest number of individuals or communities in unserved areas with at least 10/1 speeds rather than projects that provide service at higher speeds to fewer individuals or communities;

(B) Expansion projects with matching grants; and

(C) Expansion projects that are public and private partnerships;

(2) Not favor a particular technology in issuing orders awarding grants;

(3) Provide a public comment and appeal period on the proposed grants once selected;

(4) Designate areas of the state that are unserved, using FCC Form 477 data and other information available to the TRA;

(5) Develop a process that allows individuals, a city, or a county to petition the TRA for broadband expansion to an underserved area. For purposes of this subdivision (d)(5), the TRA shall incorporate the same criteria as set out in subsection (d)(1)-(3); and

(6) Accept contributions or grants from other entities for use in funding

Tennessee rural broadband expansion grants made pursuant to this section.

SECTION 2. The Tennessee Regulatory Authority is authorized to promulgate rules to effectuate the purposes of this act. The rules shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.